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PTO/SB/05 (03-01)

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030204

1541 U.S. PTO

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	<b>88265-7010</b>	Total Pages	<b>49</b>
First Named Inventor or Application Identifier			
<b>Thomas HOFMANN</b>			
Express Mail Label No.	<b>EV 346 810 590US</b>		

22264 U.S. PTO  
10/7/92369

030204

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

1. ☒ Fee Transmittal Form (e.g. PTO/SB/13)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status  
See 37 CFR 1.27.
3. ☒ Specification Total Pages **32**  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed Sponsored R&D
  - Reference to Sequence Listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) (Figs. 1-5) Total Sheets **5**
5. ☒ Oath or Declaration (executed) Total Pages **12**
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies.

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee) (Copy attached)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of application no. PCT/EP02/10368, filed September 5, 2002.


Prior Application Information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code

**CUSTOMER NO. 28765**

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	
Name (Print/Type)	Allan A. Fanucci		Registration No.: 30,256
Signature			Date <b>3/2/04</b>

**REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION**

Docket Number	Anticipated Classification of this Application		Prior Application Examiner	Art Unit
<b>88265-7010</b>	Class:	Subclass:		

Address to:  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

This is a request for filing a continuation application under 37 CFR 1.53(b) of pending prior international application number **PCT/EP02/10368**, filed September 5, 2002, entitled in **PYRIDINIUM-BETAIN COMPOUNDS FOR USE AS TASTE MODULATORS**, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16 (c))	18 - 20	0	x \$ 18	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 - 3	0	x \$ 86	\$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$	
				BASIC FEE (37 CFR 1.16(a))	\$ 770.00
				Total of above Calculations =	\$ 770.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27)				
				Total =	\$ 770.00

- Enclosed are the specification and claims.
  - ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-1814. A duplicate of this sheet is enclosed.
  - ☐ Amend the specification by inserting before the first line the sentence:
  - ☒ A newly executed declaration under 37 CFR 1.63 is enclosed.
  - ☒ Priority of Application No. **EP01121349.3** filed September 6, 2001 in the Europe is claimed under 35 U.S.C. § 119 (a)-(d).
- ☒ Please direct all communication for this matter to **Customer Number 28765**.

Date

3/2/04



Allan A. Fanucci, Reg. No. 30,256

**WINSTON & STRAWN**  
 CUSTOMER NO. 28765  
 212-294-3311

EXPRESS MAIL LIST

To:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The following items listed below are being filed herewith with the USPTO on March 2, 2004

Express Mail No. <b>EV 346 810 590 US</b>		
Attorney Docket No.	Appln. Serial No./ Patent No.	Items - Documents filed on <b>March 2, 2004</b>
88265-7010	<b>TBA</b>	Utility Patent Application Transmittal (PTO/SB/05); Specification 32 pages including 9 claims; Formal Drawings Figs. 1-5 (5 sheets); Patent Application Fee Sheet (in duplicate); Executed Inventors' Declaration (12 pages); Executed Power of Attorney by Assignee; Executed Assignment (8 pages); Assignment Recordation Cover Sheet

*Please acknowledge receipt of these items as received by returning the enclosed postcards with the date of receipt of March 2, 2004*

NY:846497.2